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Chairman: Mr. Yañez-Barnuevo

(Spain)

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The meeting was called to order at 11:15 a.m.

Agenda item 82: Report of the Special Committee on the Charter of the United Nations and on the Strengthening of the Role of the Organization
(A/60/33, A/60/124 and A/60/320)

1. **Mr. Mavroyiannis** (Chairman of the Special Committee on the Charter of the United Nations and on the Strengthening of the Role of the Organization) introduced the report on the work of the Special Committee during its 2005 session (A/60/33), noting that the Special Committee had met in New York from 14 to 18 March 2005 and had continued its deliberations as mandated by the General Assembly in paragraphs 3 and 4 of General Assembly resolution 59/44.

2. He then summarized the content of the report's seven chapters. He noted that chapter III contained an account of the Special Committee's discussions and presented its recommendations on the maintenance of international peace and security and, in particular, on the implementation of the provisions of the Charter related to assistance to third States affected by the application of sanctions, to which the Special Committee had been asked to give priority consideration. Paragraph 25 of the report contained the Special Committee's recommendation that the General Assembly should address that matter further. Chapter III also contained a summary of the views expressed on several proposals submitted by Member States on, inter alia, the questions of imposition of sanctions and other coercive measures, peacekeeping operations, and strengthening of the role of the Organization and enhancing its effectiveness.

3. With regard to peaceful settlement of disputes, which was the subject of chapter IV of the report, no proposals on that topic had been submitted to the Special Committee for consideration during the 2005 session. The Special Committee's consideration of the proposals concerning the Trusteeship Council was summarized in chapter V, and its discussions on the *Repertory of Practice of United Nations Organs* and the *Repertoire of the Practice of the Security Council* were summarized in chapter VI. Its recommendation on the latter could be found in paragraph 68 of the report. Finally, chapter VII addressed the remaining items on the agenda of the Special Committee, including the

question of improving its working methods, which remained a priority item for the General Assembly.

4. **Mr. Mikulka** (Secretary of the Special Committee), speaking as Director of the Codification Division of the Office of Legal Affairs, introduced the report of the Secretary-General on the updating of the *Repertory of Practice of United Nations Organs* and the *Repertoire of the Practice of the Security Council* (A/60/124) and summarized the results achieved in eliminating the backlog in publication of the *Repertory* since the adoption of General Assembly resolution 59/44 the previous year. The Secretariat had completed volume I of Supplement 7 (covering the period 1985-1988); volume I of Supplement 8 (1989-1994) was near completion; eight other volumes pertaining to Supplements 7, 8 and 9 (1994-1999) were at various stages of preparation; and advance versions of several studies on individual Articles of the Charter had been finalized and were available on the *Repertory* website. Those studies pertained to volumes I and IV of Supplement 8 and volumes IV and VI of supplement 9. Other studies on individual Articles relating to volumes I, IV and VI of Supplements 8 and 9 were in the final stages of preparation. No progress had been made on volume III of Supplements 7, 8 and 9, and none was expected in the foreseeable future. A colour chart showing the status of the *Repertory* had been made available to delegations.

5. Complete volumes and studies on individual Articles of the Charter from 10 volumes were accessible on the United Nations website for the *Repertory*, which had proved an efficient means for updating the publication. Information on the publication of volumes in French and Spanish versions appeared in paragraph 8 of the report. As concerned cooperation with academic institutions, externs and interns had assisted in research for several of the studies on individual Articles. Further involvement of academic institutions was envisaged as a way of preparing additional draft studies. However, no contributions to the Trust Fund established pursuant to resolution 59/44 to enable the Secretariat to accelerate progress towards eliminating the backlog in publication of the *Repertory* had yet been received.

6. **Mr. Ri Song Hyon** (Democratic People's Republic of Korea) said that what was most important in relation to strengthening the role of the United Nations was to ensure that the Organization had a central role in addressing international issues. To that

end, it was imperative to reject high-handedness and unilateralism, for as long as there continued to be violations of sovereignty and intervention in the internal affairs of other countries through the use of power, the United Nations would be unable to give full play to the mission and role assigned to it in its Charter. In that connection, the powers of the General Assembly, where all Member States enjoyed equal representation, should be radically enhanced. The General Assembly was the supreme policy- and decision-making organ of the United Nations; accordingly, it should be empowered to address any major issues relating to international peace and security. Decisive measures should be taken to give the General Assembly the power to review, on a case-by-case basis, resolutions of the Security Council that had a direct impact on international peace and security, including resolutions on the use of armed force and the imposition of sanctions.

7. The use of sanctions was currently an issue of great concern to the international community. Sanctions, which were being abused by some countries for political purposes, were leading to the overthrow of legitimate Governments of sovereign States and to the disruption of their political and economic systems. Sanctions should be a means of last resort for the settlement of disputes, and their objective, target and time frame should be clearly defined. In his delegation's view, due attention must be given to sanctions imposed outside the aegis of the United Nations. Such unilateral sanctions contradicted the spirit of the Charter and the principles of international law, and had particularly grave consequences for developing countries, violating their sovereignty and obstructing their sustainable development. His own country, for instance, had suffered immeasurable loss and damage and its development had been hampered as a result of unilateral sanctions imposed for over half a century by a super-Power.

8. **Mr. Andjaba** (Namibia), speaking on behalf of the African Group, noted that 14 of the 19 sanctions regimes imposed by the Security Council since the establishment of the United Nations had been imposed on African countries. Africa therefore attached crucial importance to the topic of sanctions. The power of the Security Council to impose sanctions should always be exercised in accordance with the Charter of the United Nations and international law. Sanctions should be considered only after all means of peaceful settlement

of disputes had been exhausted and after thorough consideration of their effects in the short and long terms. Moreover, any sanctions imposed must be non-selective, smart and targeted in order to mitigate their adverse humanitarian and socio-economic impact, particularly on the most vulnerable members of society in both primary target States and third States. To that end, the United Nations should define the objectives and guidelines for the imposition of sanctions.

9. The African Group welcomed all measures to assist third States affected by the application of sanctions and appreciated the various workshops, seminars and studies on the topic undertaken under the auspices of the United Nations. It was worrisome to note, however, that none of them had taken place in or focused on Africa. Bearing that reality in mind, the African Group encouraged more interaction between the various Security Council sanctions committees and the General Assembly, particularly the Special Committee on the Charter, in implementing the relevant resolutions. It also encouraged the conduct of comprehensive studies, including the compilation and publication of information on all unintended consequences of sanctions and the efficacy of the assistance provided in response, particularly in Africa.

10. With regard to the various proposals before the Committee, the African Group saw some merit in the proposal by the Russian Federation on sanctions and other coercive measures (A/AC.182/L.114 and Rev.1) and considered it a good basis for further dialogue on the issue. That discussion should also take into account the salient points raised in the working paper by the Libyan Arab Jamahiriya (A/AC.182/L.110 and Rev.1), particularly the provision for possible payment of compensation to target and/or third States for damage done by unlawful sanctions. The African Group also continued to see merit in the proposal submitted jointly by the Russian Federation and Belarus, which called for, among other things, an advisory opinion from the International Court of Justice as to the legal consequences of the resort to the use of force by States without prior authorization by the Security Council, except in self-defence. The African Group reaffirmed the important role played by the Court and other international judicial institutions in the peaceful settlement of disputes, but reiterated that, in the recourse to those bodies, vigilance must be maintained to ensure that the free choice of means was never compromised. It also welcomed the increase in the

number of fact-finding missions in recent years and acknowledged the strategic role of Special Representatives of the Secretary-General in such missions. In that connection, the holding of a special session of the Security Council in Nairobi, Kenya, in 2004 testified eloquently to the international community's commitment to peaceful settlement of disputes within and among States.

11. The African Group wished to conclude with a call for the establishment of an open-ended working group on sanctions within the Sixth Committee. It also underscored the need to streamline the working methods of the Special Committee and endorsed the call for proposals to the Committee to be submitted well in advance of sessions and for a cut-off mechanism to prevent or check protracted discussion of proposals year after year. In that regard, the African Group agreed that some proposals should be considered biennially or triennially.

12. **Mr. Llewellyn** (United Kingdom), speaking on behalf of the European Union, the acceding countries Bulgaria and Romania, the candidate country Turkey; the countries of the stabilization and association process and potential candidates Albania, Bosnia and Herzegovina, Serbia and Montenegro and The former Yugoslav Republic of Macedonia; and, in addition, Iceland, Norway and the Republic of Moldova, referred first to the maintenance of international peace and security, in particular the implementation of the provisions of the Charter relating to assistance to third States affected by the application of sanctions. The European Union recognized that sanctions could have negative effects on civilian populations and third States, and it therefore welcomed the continuing recourse to targeted sanctions, which preserved the effectiveness of sanctions while minimizing their negative impact. In that context, he welcomed the important work being done on the subject in other forums within the United Nations. The Commission and States members of the European Union had devoted conferences and workshops to specific questions relating to sanctions, while the Secretary-General had presented a report on the subject and the Security Council had taken various measures, among them the establishment of the Informal Working Group on General Issues of Sanctions and, more recently, the Analytical Support and Sanctions Monitoring Team.

13. The European Union welcomed the recognition in the 2005 World Summit Outcome of the usefulness of

sanctions, provided that they were clearly targeted, and of the need to minimize their negative consequences, to monitor their implementation effectively and to review them periodically. Sanctions should remain in place for as limited a period as necessary to achieve their objectives. The European Union looked forward to consideration by the Security Council of ways to improve monitoring and to address special economic problems arising from the application of sanctions. Procedures for the listing and de-listing of individuals and entities on sanctions lists should also be fair and clear. The European Union supported efforts through the United Nations to strengthen State capacity to implement sanctions.

14. As concerned the Russian Federation's proposal on basic conditions and standard criteria for the introduction and implementation of sanctions and other coercive measures, although the working paper was a useful basis for further consideration, the European Union believed that the issues addressed would be better discussed in forums other than the Special Committee.

15. With regard to peaceful settlement of disputes, the European Union reiterated the need for continued emphasis on the means of peaceful settlement enshrined in the Charter of the United Nations, the need to have recourse to them at the earliest possible stage and the need to apply the principle of free choice of means. It also endorsed the emphasis in the 2005 World Summit Outcome on the obligation to settle disputes by peaceful means under the Charter and on the need to promote a culture of prevention of armed conflict, to address interconnected security and development challenges and to strengthen the capacity of the United Nations in conflict prevention. The Secretary-General played a particularly important role in that regard.

16. The European Union welcomed the Secretary-General's report on the *Repertory of Practice of United Nations Organs* and the *Repertoire of the Practice of the Security Council* and the progress being made towards making the *Repertory* available on the Internet at no cost to the United Nations.

17. Regarding the working methods of the Special Committee, the European Union supported the suggestions made in the revised working paper presented by Japan and co-sponsored by the Republic of Korea, Thailand, Uganda and Australia. Expressing

regret that only minimal reforms had been achieved so far, he reiterated the European Union's willingness to support initiatives that might improve the Special Committee's working methods.

18. **Mr. Malpede** (Argentina), speaking on behalf of the States members of the Rio Group (Argentina, Bolivia, Brazil, Chile, Colombia, Costa Rica, Dominican Republic, Ecuador, El Salvador, Guatemala, Guyana, Honduras, Mexico, Nicaragua, Panama, Paraguay, Peru, Uruguay and Venezuela), said that the Rio Group attached great importance to the work of the Special Committee in the broader context of United Nations reform, particularly with regard to the maintenance of international peace and security, cooperation among States and the promotion of international law. He urged Member States to intensify their efforts, in accordance with General Assembly resolution 59/45, to implement the provisions of the Charter related to assistance to third States affected by the application of sanctions, with a view to minimizing the negative impact of sanctions. He also commended the Secretariat's efforts to develop a methodology for assessing the adverse consequences incurred by third States and to explore innovative and practical measures of assistance to affected third States.

19. The Rio Group attached great importance to the publication of the *Repertory of Practice of United Nations Organs* and the *Repertoire of the Practice of the Security Council* and commended the efforts made to update them. However, the Group shared the concern at the slow pace of work and occasional suspensions owing to lack of funds. He therefore called for increased voluntary contributions to the Trust Fund and encouraged the Secretary-General to enhance cooperation with academic institutions for the preparation of studies of the *Repertory* and the *Repertoire*.

20. The Rio Group welcomed the discussions relating to the Special Committee's working methods and the identification of new subjects. Efforts to improve efficiency should be continued, including consideration of ways to streamline the procedure used for approval of the Committee's reports.

21. **Mr. Metelitsa** (Belarus) said that the preparations for the 2005 World Summit had shown how important it was, at a time of reform of the Organization, to ensure a clear understanding and uniform application of the principles enshrined in the Charter.

Enhancement of the legal basis for United Nations activities was a vital element of the reform process. Belarus therefore supported the active involvement of the Special Committee in resolving problematic issues in the 2005 World Summit Outcome, including those in the section entitled "Responsibility to protect populations from genocide, war crimes, ethnic cleansing and crimes against humanity". The Special Committee could also assist the General Assembly in its work on amendments to the Charter, including abolition of the Trusteeship Council and the elimination of references to "enemy States".

22. The Special Committee should continue to give priority to the elaboration of precise legal criteria for the introduction and implementation of sanctions and, in particular, should strive at its next session for further progress on the working paper on that topic submitted by the Russian Federation. Belarus looked forward to a productive discussion on ways to implement the provisions of the Charter related to assistance to third States.

23. Belarus and the Russian Federation had submitted to the Special Committee at its 2005 session a revised version of their working paper, in which it was recommended that an advisory opinion should be requested from the International Court of Justice as to the legal consequences of the resort to the use of force by States without prior authorization by the Security Council. Such an opinion would help strengthen the principle of the non-use of force or threat of force enshrined in the Charter. Belarus, as a co-sponsor of the proposal, would be presenting the legal arguments in favour of it at the next session of the Special Committee.

24. Belarus commended the Secretariat's efforts with regard to the preparation and publication of the *Repertory of Practice of United Nations Organs* and the *Repertoire of the Practice of the Security Council*, which were an important source of the legal information needed for the consistent application of the Charter.

25. **Mr. Jit** (India) underscored the importance of Article 50 of the Charter, relating to assistance to third States affected by the application of sanctions. The adverse effects of sanctions on innocent civilian populations and on the economic stability of the targeted State or even of third States were a matter of serious concern. The Security Council, as the body

which mandated sanctions, had primary responsibility for addressing the problems of third States affected by them.

26. Sanction regimes should be reviewed periodically, and adequate and prompt assistance should be provided on the basis of an assessment of humanitarian conditions in the targeted States and affected third States. Moreover, immediate steps should be taken to implement the relevant section of the 2005 World Summit Outcome, in particular paragraph 108, which called upon the Security Council to improve the monitoring of sanctions and to develop a mechanism to address special economic problems arising from the application of sanctions. To that end, the Council should consider establishing a fund financed from assessed contributions based on the scale applicable to peacekeeping operations, as well as voluntary contributions. His delegation also supported the idea of establishing a working group within the Sixth Committee to examine the issue of sanctions and their impact on third States.

27. With regard to the proposals on sanctions made by the Russian Federation and the Libyan Arab Jamahiriya, it was essential to develop a consensus on the core issues involved. The Charter defined the manner and circumstances in which sanctions or other coercive measures could be imposed, but consideration should be given to testing their legality on the basis of a proportionality criterion and to building organizational controls into the system. A cautious approach needed to be taken with regard to conferring on target States a right to seek and obtain compensation for unlawful damage sustained owing to illegal or excessive sanctions, in order to avoid raising issues concerning the very legality of the sanctions imposed. With respect to the proposal on peacekeeping operations under Chapter VI of the Charter, the Special Committee should consider the issue only from the legal angle, after consensus had been reached among Member States on the political and operational aspects of peacekeeping.

28. The contribution of the Special Committee in the area of peaceful settlement of disputes had been significant. India attached great importance to the principle of free choice of means in matters of dispute settlement and took the view that any recourse to dispute settlement mechanisms required prior consent of the parties to the dispute.

29. Turning to the proposal on the Trusteeship Council, he said that India considered it improper at the present time to envisage a role for the Council in dealing with the global commons or the common heritage of mankind, as those issues were adequately covered under the United Nations Convention on the Law of the Sea and other international agreements currently in force.

30. India supported, in principle, Japan's proposal on improving the working methods of the Special Committee. As concerned the identification of new subjects, the Committee should first deal with the proposals before it, rather than searching for new areas of work. India also supported the continued publication and updating of the *Repertory* and the *Repertoire*, since they were important sources of reference. Lastly, the Special Committee must have an active role in the implementation of the Charter-related decisions outlined in the 2005 World Summit Outcome, in accordance with the decision adopted at its last session.

31. **Mr. Mukongo Ngay** (Democratic Republic of the Congo) said that the debate on the Special Committee's report was particularly important in the context of the sixtieth session of the General Assembly, when heads of State and Government had reaffirmed their commitment to the purposes and principles of the Charter.

32. The current efforts of the international community to minimize the negative effects of sanctions on both the targeted State and third States were to be applauded. Sanctions should be imposed only when all peaceful means of settlement of disputes provided for by the Charter had been exhausted. However, the pursuit of such peaceful means should not give troublemakers the opportunity to continue their wrongful activities. Thus, any State or group of individuals that engaged in aggression or occupied foreign territory had to be constrained to desist. On the other hand, too-frequent recourse to sanctions, however valid, could call their credibility into question. In addition, care should be taken to ensure that they were not selectively applied or misapplied.

33. With regard to the use of force, he recalled the inherent right of self-defence enshrined in the Charter. However, he condemned any coercive action outside that category that was taken without the prior authorization of the Security Council, in violation of Chapter VI of the Charter. Military intervention could

be justified only when all possible peaceful means of settlement had been exhausted. In that connection, he drew attention to the obligations of Member States that were reaffirmed in paragraph 77 of the 2005 World Summit Outcome. His delegation also favoured further consideration of the proposal of Belarus and the Russian Federation that an advisory opinion should be requested from the International Court of Justice as to the legal consequences of the resort to the use of force by States without prior authorization by the Security Council.

34. Turning to the question of peacekeeping operations, he said that the scope of such operations had become much broader and more ambitious over the years. Moreover, there was no clear legal basis for them, since they had essentially arisen as an ad hoc response to the breakdown of the system of collective security set out in the Charter. Given the continued increase in the number of peacekeeping operations, they should be underpinned by a proper legal framework, irrespective of their success or failure. The elaboration of such a legal framework raised complex issues that went beyond the remit of the Special Committee on Peacekeeping Operations. In that context, his delegation supported the proposal contained in the Russian Federation's working paper, entitled "Fundamentals of the legal basis for United Nations peacekeeping operations in the context of Chapter VI of the Charter of the United Nations".

35. **Mr. Shang Zhen** (China) said that his delegation wished to see the Special Committee forge ahead to even greater achievements in its commendable work. The question of third States should be treated as a priority, but a two-pronged approach was needed: the imposition of sanctions should be prudent and limited; and a methodology should be developed to assess the impact of preventive or enforcement measures on third States. Practical ways of providing international assistance to those States should also be explored and efforts made to minimize their losses.

36. With regard to basic conditions and standard criteria, sanctions should be resorted to only after all peaceful means of dispute settlement had been exhausted and they should then be implemented within a specific time frame and in accordance with strict criteria. It was to be hoped that the Special Committee would complete its consideration of the Russian Federation's working paper on the subject at an early date.

37. His delegation endorsed the basic idea of the Russian Federation's other working paper, on fundamentals of the legal basis for United Nations peacekeeping operations. Deliberations on peacekeeping in other United Nations bodies did not affect the Special Committee's consideration of the question in the legal context. It would be useful to summarize the lessons learned from peacekeeping operations with a view to standardizing and institutionalizing them.

38. The efforts made by some States to improve the Special Committee's working methods were commendable, and all parties should explore ways of achieving that goal.

39. Paragraph 176 of the 2005 World Summit Outcome provided the direction for the Special Committee's work relating to the Trusteeship Council. However, any proposals involving amendment of the Charter should be treated with caution, and the work should proceed in accordance with the Special Committee's intention to implement any decisions concerning the Charter taken at the Summit.

40. His delegation was concerned about the drastic curtailment of the duration of the Special Committee's session: its work should be reinforced rather than weakened.

41. **Mr. Wali** (Nigeria) said that sanctions were extreme measures which should be applied with caution and as a last resort. They should be purposeful, time-bound, non-selective and targeted. They should be transparently implemented and terminated once their goals had been achieved. Sanctions must be periodically reviewed in order to mitigate their negative impact on civilians and third States. Such reviews would provide an opportunity to determine the mode of assistance for innocent victims of sanctions.

42. Contractors from affected third States should be given priority with respect to investment in the target State and the citizens of such States given preferential treatment in the award of contracts for peacekeeping or post-conflict operations. There must be transparent procedures for the management of sanctions lists and for granting humanitarian exemptions. He welcomed the measures introduced to make sanctions committees more accessible to affected States and strengthen the capacity of States to implement sanctions.

43. He stressed the primacy of the principle of free choice of the means of peaceful settlements of disputes; Nigeria had long accepted the compulsory jurisdiction of the International Court of Justice and urged other States to do likewise. The International Court and the International Tribunal for the Law of the Sea must be adequately funded, and the idea of establishing a rule-of-law assistance unit in the United Nations Secretariat deserved support. His delegation also called on States to avail themselves of the procedures for the prevention and peaceful resolution of disputes and it recognized the usefulness of regional and subregional peace initiatives. It commended the efforts of the United Nations and the African Union, which had checked the deterioration of the situation in Darfur.

44. The *Repertory* and the *Repertoire* were indispensable tools for the preservation of the institutional memory of the United Nations. The Secretary-General was to be commended on the progress made in eliminating the backlog and the placing of advanced versions on the Internet.

45. There was indeed a need to streamline the working methods of the Special Committee and for its work to be properly coordinated with that of the General Assembly and the sanctions committees.

46. **Mr. Sybyha** (Ukraine) said that the present discussion showed that the United Nations remained the principal forum for dealing with problems of security and cooperation. The Special Committee in particular made a considerable contribution to the development of a number of the provisions of the Charter and to the process of reforming the United Nations. It should be strengthened as a forum for the discussion of reform issues, and the efforts to streamline its work should take full account of its important mission. It had a vital role to play in implementing the provisions of the 2005 World Summit Outcome on amendments to the Charter. It would be useful to start the Special Committee's next session with a discussion of the identification of new subjects.

47. Recent studies of the increasing number of sanctions regimes showed that most of the ones imposed in the 1990s had had scant political effectiveness. The time had therefore come to review the existing policy and practices and formulate general approaches to future decision-making on sanctions.

The question of sanctions must remain a central item on the Special Committee's agenda.

48. Sanctions were a powerful tool for preventing conflicts but must not become a means of punishing States. The terms of their imposition must include revocation mechanisms and the possibility of gradual mitigation. They should not result in economic destabilization in the target country or in third States. The production of additional recommendations on the principles of implementation would aid the Security Council and enhance the legitimacy of its decisions. His delegation endorsed the emphasis in the 2005 World Summit Outcome on the obligation of States to settle their disputes by peaceful means. It recognized the Security Council's statutory prerogatives but in no way underestimated the role which the General Assembly could play in formulating criteria governing sanctions. It noted with satisfaction the expansion of the "United Nations geography": the issues were being addressed by an increasing number of United Nations bodies.

49. **Mr. Lavallo-Valdés** (Guatemala) said that it was difficult for his delegation to take a positive view of the Special Committee's work: it did have some achievements to its credit but they dated to an already fairly remote past, and its work had produced hardly any results. A study of the recommendations contained in the report under consideration showed that nothing had changed since the previous year.

50. The situation was particularly disappointing for his delegation, which had always taken an active part in the work. The Special Committee had considered two proposals by Guatemala on the peaceful settlement of disputes: the text of the first one had been annexed to resolution 50/50; the second had been on the agenda from 1997 to 1999, when Guatemala had withdrawn it. In fact there was a whole series of proposals which had reached a dead end but had not yet been withdrawn. Two of them, those submitted by the Russian Federation and contained in chapter III, sections B and D, while embodying some positive elements, were problematical in that they duplicated the work of other United Nations bodies.

51. However, the first of those two proposals, the one on sanctions, was not without interest. The working group established by the Security Council in 2000 to consider that question did not seem close to concluding its work; and the corresponding provisions of the 2005

World Summit Outcome would benefit from incorporation of some of the ideas contained in the proposal.

52. Nor had the Special Committee produced any concrete results on the question of assistance to third States, despite reaffirming year after year the importance of the substantive discussion of the recommendations of the ad hoc expert group contained in the report of the Secretary-General (A/53/312) and mentioned in paragraph 21 of the report. Those recommendations were perhaps too technical for the Special Committee to be able to consider them in detail.

53. Since 2002 the question of the peaceful settlement of disputes had no longer been taken up as a separate sub-item, making it difficult to achieve any progress. In 2004 his delegation had tried to inject some specific content into the discussion by proposing that the Special Committee should concentrate on arbitration, but its efforts had been in vain. The only mention of the topic in the present report was in paragraphs 58 and 59, which were devoid of practical interest. Guatemala had confined itself to making the comment outlined in paragraph 60.

54. Perhaps the only positive result achieved by the Special Committee for some time was represented by the *Repertory* and the *Repertoire*. On that subject, the comments just made on behalf of the Rio Group exactly reflected the feelings of his delegation, which supported the proposals made in the report introduced earlier by the Secretary (A/60/124).

55. The effort to identify new subjects might facilitate a return to the situation prevailing years ago, when the Special Committee produced specific and constructive recommendations which made a significant contribution to the work of the General Assembly.

56. **Ms. Zabolotskaya** (Russian Federation) said that her delegation attached great importance to the substantial contribution made by the Special Committee to strengthening the legal foundations of the United Nations. There was certainly a need to improve the sanctions machinery. There seemed to be a general understanding that sanctions should have clearly stated purposes and be subject to periodic review and to time limits, and that a balance must be sought between effective implementation and the prevention of negative effects on civilians and third

States. That approach had in fact been unanimously approved in the 2005 World Summit Outcome; the Special Committee must heed the Summit's call to pursue its work on sanctions with vigour. That task would be greatly facilitated if it adopted the Russian Federation's working paper on basic conditions and standard criteria, the latest revision of which took into account, as far as possible, the positions of all States.

57. No progress had been made on the question of assistance to third States. Her delegation advocated taking a more practical approach to the question with a view to establishing actual mechanisms for providing such assistance. It was also in favour of the continuation of the Special Committee's work on the other topics in its "portfolio". It would be appropriate for the General Assembly to include in the Special Committee's mandate the several decisions relating to the Charter adopted at the World Summit.

The meeting rose at 1.05 p.m.